

REMARKS

Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Claims 1-6 and 8 have been amended. Claims 1-8 are pending in this application.

The Examiner states that figures 1 and 2 should be designated by a legend such as --Prior Art--. In response, Applicant submits amended drawings which include --Prior Art-- on the figures. Upon indication of Notice of Allowance Applicant will submit formal drawings. Objection to the drawings is respectfully requested.

The abstract of the disclosure stands objected to because of the informalities. In response, Applicant has thoroughly reviewed and amended the abstract in view of the Examiner's kind suggestions. Applicant submits that the abstract is now in a proper format. Withdrawal of the objection to the abstract is respectfully requested.

The disclosure stands objected to because of the informalities. Again, Applicant has amended the disclosure according to the Examiner's kind suggestions. Withdrawal of the objection to the disclosure is respectfully requested.

Claims 1-6 and 8 stand objected to because of the informalities. Applicant has reviewed the Examiner's detailed objection and amended claims 1-6 and 8 in view of the Examiner's kind comments. Applicant submits that claims 1-6 and 8 are now in a proper format. Applicant respectfully requests withdrawal of the objection.

Claims 1, 2 and 6 stand rejected under 35 U.S.C. 102(e) as being anticipated by Takano. Applicant traverses the rejection for the following reasons.

Applicant submits that Takano neither discloses nor suggests all of the features of the claimed invention. In particular, Takano at least fails to disclose or suggest a speed estimator estimating a moving speed of a CDMA mobile station based on a detected power magnitude and/or phase, as recited in claim 1, as amended. According to Takano, the speed of a mobile station is estimated by accumulating the TPC bits. In the present invention, the operation of counting the TPC bits is performed to obtain information for controlling the transmitting power level, not for estimating the speed of a mobile station. Therefore, it is believed that Takano clearly fails to disclose the speed estimator of claim 1 and the step of estimating a

moving speed of a mobile station based on the detected power magnitude and/or phase, as recited in claim 6.

Accordingly, claims 1 and 6 are not anticipated by Takano under 35 U.S.C. §102(e). Claim 2, which is dependent on claim 1, is patentable for the reasons discussed above with respect to claim 1, as well as on its own merits.

Applicant notes with appreciation that claim 8 is allowable over the prior art of record.

Applicant further notes with appreciation that claims 3-5 and 7 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims. As claims 1 and 6 are believed allowable as noted above, claims 3-5 and 7, which are dependent on claim 1 or 6, are also believed allowable.

The prior art made the record and not relied upon is noted.

All objections and rejections having been addressed, it is respectfully submitted that claims 1-8 are now in condition for allowance and a notice to that effect is earnestly solicited. If any issues remain to be resolved, the Examiner is cordially invited to telephone the undersigned attorney at the number listed below.

Respectfully submitted,
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IN THE DRAWINGS

Figures 1 and 2 have been amended. Specifically, figures 1 and 2 have been designated by a legend as --Prior Art--.